

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

J.I.W., a minor, by and through T.W.,)	
his mother and next friend,)	
)	
Plaintiff,)	
)	
v.)	CIV. ACT. NO. 1:20cv787-ECM
)	(WO)
BLAKE DORMINEY,)	
)	
Defendant.)	

ORDER

This case is before the Court upon remand from the Eleventh Circuit Court of Appeals.

On June 11, 2021, this Court granted a motion to dismiss count three of the complaint and dismissed the City of Slocomb as a party in this case. This Court denied a separate motion by Blake Dorminey to dismiss counts one and two. Blake Dorminey appealed the denial of federal qualified and state-agent immunity. The Eleventh reversed in part this Court's decision and remanded the case to this Court with instructions to dismiss J.I.W.'s claim in count one on the basis of qualified immunity and to decline to exercise supplemental jurisdiction over the state-law claims in count two so that the Plaintiff may pursue them, if at all, in state court.

Accordingly, it is ORDERED as follows:

1. The motion to dismiss filed by Blake Dorminey (doc. 15) is GRANTED as to the Plaintiff's claim in count one and that claim is DISMISSED with prejudice.

2. The Court declines to exercise jurisdiction over the state-law assault and battery claims in count two and those claims are DISMISSED without prejudice.

The Clerk is DIRECTED to lift the stay and close this case.

Done this 4th day of January, 2023.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE